
**RULES AND PROCEDURES
FOR THE
FORMATION AND OPERATION OF THE**

**Chula Vista Redevelopment Corporation
REDEVELOPMENT ADVISORY COMMITTEE
("RAC")**



**ADOPTED JULY 13, 2006
CVRC RESOLUTION NO. 2006-031**



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Chula Vista Redevelopment Corporation Procedures for the Formation and Operation of the Chula Vista REDEVELOPMENT ADVISORY COMMITTEE

1. Background

On May 24, 2005, the City Council and Redevelopment Agency took several joint actions to officially form the Chula Vista Redevelopment Corporation (CVRC). The adoption of a public participation policy for the CVRC is the final step in a series of actions necessary to organizationally prepare the Corporation for the review and consideration of upcoming redevelopment projects. As a result of community dialogue on alternative models and approaches, the CVRC adopted a resolution on June 22, 2006 establishing a community-wide Redevelopment Advisory Committee (RAC) to gather public input and make recommendations to the CVRC on development projects and applications, with particular emphasis on design.

2. Purpose and General Provisions

The primary purpose of the RAC is to advise the CVRC on development applications that require CVRC approval or action in accordance with the adopted *Procedural Framework for CVRC Project/Application Review* (Attachment 1) and Section 2.55 of the Chula Vista Municipal Code, with particular emphasis on design. RAC review of individual development projects will focus on conformity with adopted plans, ordinances, and guidelines.

The RAC shall comply with all provisions of the CVRC formation documents including but not limited to: conflict of interest provisions, the Ralph M. Brown Act, and the California Public Records Act .

3. Membership

The RAC model will be representative of a broad spectrum of community and business organizations that are interested in or affected by redevelopment efforts in the City of Chula Vista. Representatives from established City Advisory Bodies will join residents and businesspersons on the Committee to provide valuable technical expertise in the review of development projects.

The RAC shall consist of representatives from three specific categories:

1. Technical Advisory Bodies;
2. Community Organizations; and,
3. Business Associations.

A minimum of three (3) with a maximum of five (5) representatives may be appointed from each of the three categories, thus the total membership of the RAC may be either nine (9) or fifteen (15) representatives. Using the maximum of five (5) representatives would provide the CVRC the ability to appoint additional member organizations in a given

category as new organizations develop in Chula Vista. An odd number of total representatives should be maintained at all times to facilitate the voting process. Each category should be equally represented.

4. Selection Process

The CVRC will appoint organizations from the Technical Advisory Bodies, Community Organizations, and Business Associations categories to be represented on the RAC. Each organization selected will self-elect a voting member and an alternate, according to the processes and requirements outlined here.

4.1 Member Organizations:

Organizations interested in being represented on the RAC will be required to complete an application form, available at the Office of the City Clerk or on the City's web site (www.chulavistaca.gov). The CVRC will consider all applications and appoint representative organizations that meet the qualifications described below within each category. The CVRC will publicize the opportunity to serve on the RAC in conformance with procedures established by the City of Chula Vista for advertising vacancies on Advisory Bodies.

4.1.1 Technical Advisory Bodies:

A Technical Advisory Body means an established Advisory Body of the City of Chula Vista whose duties involve the review, analysis and recommendation on matters pertaining to land use plans, development design, historic resources, environmental issues, and/or cultural resources within the City of Chula Vista.

4.1.2 Community Organizations:

A Community Organization is defined as any not-for-profit association of persons or entities whose membership is comprised primarily of Chula Vista residents and/or represent constituents in Chula Vista, and are organized to engage in activities with the primary purpose of improving the physical, economic, or social environment of Chula Vista, and which association is generally recognized within Chula Vista as a community-based organization. All activities of a Community Organization must not discriminate against any person or persons by reason of race, color, sex, creed or national origin, or sexual orientation, or disability, nor can a Community Organization be formed as a Political Action Committee under U.S. Code Title 26 Section 527.

In order to determine the eligibility of a representative from a Community Organization for membership on the RAC, the following must be submitted:

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- (A) Information showing how the organization meets the definition of Community Organization above, including but not limited to evidence of existence and operation within the City of Chula Vista, such as articles of incorporation, by-laws, non-profit status, business license or other similar documentation, minutes, a list of an elected board of directors, a financial statement, records of meetings, and a Federal Tax ID;
- (B) Once the organization is selected, a resolution or minutes of the organization's board or directors designating its representative and authorizing such person to act on its behalf; and
- (C) Such other documentation as the CVRC may deem necessary.

4.1.3 Business Associations:

A Business Association is defined as an association of persons and/or entities, or a corporation where a majority of their constituents or members are owners or operators of businesses located within Chula Vista and are organized to engage in activities whose primary purpose is to promote, assist, and facilitate opportunities for the Chula Vista business community. All activities of a Business Association must not discriminate against any person or persons by reason of race, color, sex, creed or national origin, or sexual orientation, or disability, nor can a Business Association be formed as a Political Action Committee under U.S. Code Title 26 Section 527.

In order to determine the eligibility of a representative from a Business Association for membership on the RAC, the following must be submitted:

- (A) Information showing how the association meets the definition of Business Association above, including but not limited to evidence of existence and operation within the City of Chula Vista, such as articles of incorporation, by-laws, non-profit status, business license or other similar documentation, minutes, a list of an elected board of directors, a financial statement, records of meetings, and a Federal Tax ID;
- (B) Once the organization is selected, a resolution or minutes of the organization's board or directors designating its representative and authorizing such person to act on its behalf; and
- (C) Such other documentation as the CVRC may deem necessary.

4.2 Representatives

One voting member and one alternate will represent each organization on the RAC. Alternates will serve as non-voting members unless the regular voting member is absent, in which case the alternate may participate in such meetings of the RAC and vote. Alternates are encouraged to attend all meetings of the RAC as a member of the

public to facilitate the alternate's understanding of business discussed and considered by the RAC. All organizations represented on the RAC will be responsible for the selection of their individual representatives, both the voting and alternate.

Elected representatives from each organization must meet the following requirements:

- (A) No members may hold any paid office or employment with the City of Chula Vista or the Redevelopment Agency of the City;
- (B) All members must be at least eighteen (18) years of age; and,
- (C) Representatives from the Technical Bodies and Community Organizations must be electors of the City of Chula Vista.

In addition to the above requirements, individuals selected should be representative of diverse community interests. Therefore, organizations should consider the following guidelines when electing their voting member and alternate:

- (A) For Community Organizations, it is recommended that either the voting or alternate representative be a residential owner occupant in Chula Vista, and the other be a residential tenant in Chula Vista. "Residential Owner Occupant" means any Resident who owns all or a substantial fee interest in the dwelling unit which he or she occupies. "Residential Tenant" means any Resident who occupies his or her dwelling unit by right under a lease or rental agreement.

"Resident" means any person who owns, leases or rents a residential dwelling unit within the Chula Vista boundaries and occupies the same as his or her residence.

Proof of eligibility may include any of the following documents and materials, as applicable:

- i) California driver's license;
- ii) California identification card;
- iii) Lease or rental agreement;
- iv) Lease or rental receipt;
- v) Deed to real estate;
- vi) Property tax bill;
- vii) Utility bill;
- viii) Written letter from a residential landlord or property management representative verifying occupancy. Letter must include address, unit number, and landlord's contact information; and
- ix) Any other documents or materials by a verifiable, independent source which the CVRC may deem acceptable.

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- (B) For Business Associations, it is recommended that either the voting or alternate representative be a business property owner and the other a business owner/operator. "Business Property Owner" means any person or legal entity which owns property within the Chula Vista boundaries for investment and not for occupancy. "Business Owner/Operator" means any person or legal entity which owns and/or operates a business from a facility within the Chula Vista boundaries.

"Business" means any lawful activity conducted by an entity with the Chula Vista boundaries primarily for the purchase, sale, lease, or rental of personal and real property, and for the manufacture, processing, or marketing of products, commodities, or any other personal property; or for sale of services to the public.

Proof of eligibility may include any of the following documents and materials, as applicable:

- i) Lease or rental agreement;
- ii) Lease or rental receipt;
- iii) Deed to real estate;
- iv) Property tax bill;
- v) Business license;
- vi) Utility bill;
- vii) Any other documents or materials by a verifiable, independent source which the CVRC may deem acceptable.

- (C) Voting members and alternates should to the extent possible be representative of various geographic sections of the City.

A person who meets the qualifications of two or more of the above categories (Technical Advisory Body, Community Organization, or Business Association) may only be elected from and represent one member organization from one such category. He or she may serve only as long as he or she remains qualified in the category from which elected.

5. Term

Member organizations are appointed and subject to reappointment, by motion of the CVRC adopted by a simple majority. Member organizations will serve for fixed terms of four (4) years, terminating on June 30th of the fourth year unless they shall otherwise sooner resign or become disqualified or incompetent to hold office. There is no limit as to the number of terms for the appointed organization; however, reappointment at the end of each four-year term, is at the discretion of the CVRC. The CVRC may elect to consider appointment of different, or additional organizations eligible within the applicable category.

The individual representatives, both voting and alternate, of the organization will be limited to a maximum of two (2) consecutive terms of four (4) years each. For voting members, an interval of two (2) years must pass before a person who has served two (2) consecutive terms as a voting member may be reappointed as the voting member or alternate of the organization. Alternates whose term has expired may be appointed as a voting member.

An appointment to fill an initial term or an unexpired term of less than or equal to two (2) years in duration will not be considered as a term; however, any appointment to fill an initial term or an unexpired term in excess of two (2) years will be considered to be a full term.

Terms will be staggered in accordance with the initial appointment. The member organizations first appointed to the RAC will classify themselves by lot. Voting Members shall be assigned to Initial terms at the first regular meeting at which all Voting Members are present. The initial terms shall commence upon appointment and shall conclude, for six (6) voting members (two Technical Advisory Bodies, two Community Organizations, and two Business Associations) on June 30, 2010, and for three (3) Voting Members (one Technical Advisory Body, one Community Organization, and one Business Association) on June 30, 2008. After the initial appointments, the CVRC will review applications and appoint member organizations as vacancies occur.

A Member Organization shall have the discretion to appoint its own representatives to the RAC and may change its representatives annually or for those reasons listed in Section 6.2 below, as evidenced by a resolution or minutes of the Organization's Board of Directors designating its representative and authorizing such person to act on its behalf.

6. Vacancies

Vacancies may occur at both the member organization level and for those individuals representing the member organization. Upon a vacancy occurring leaving an unexpired vacancy of a term, any appointment to fill such vacancy will be for the unexpired portion of such term. As vacancies occur, the posting/advertising procedure will begin, with the subsequent review and appointment of the position by the appropriate body.

6.1 Member Organizations:

The CVRC will find and declare a vacancy exists if a member organization:

- (A) Tenders a written resignation;
- (B) Loses its categorical qualification for membership;

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- (C) Is absent from three (3) regular meetings consecutively, unless by permission of the RAC expressed in its official minutes and as may also be defined in City Council Policy 110-03 establishing an attendance policy;
- (D) Is convicted of a felony or crime involving moral turpitude.
- (E) is removed by a simple majority vote of the CVRC if it is found and determined that the member has acted in violation of RAC procedures.

In the event there is an insufficient number of candidates elected to each category of membership of the RAC, such seats may remain vacant until qualified candidates apply and a subsequent appointment is made.

6.2 Individual Representatives:

The RAC will find a vacancy exists for an individual representative, voting or alternate, if he or she:

- (A) Tenders a written resignation to the RAC;
- (B) Loses his or her organizational qualification for membership;
- (C) Is absent from three (3) regular meetings consecutively, unless by permission of the RAC expressed in its official minutes and as may also be defined in City Council Policy 110-03 establishing an attendance policy;
- (D) Is convicted of a felony or crime involving moral turpitude.
- (E) Is removed by a simple majority vote of the RAC if it is found and determined that the individual representative has acted in violation of RAC procedures.

In any case where it is determined a vacancy of an individual representative, voting or alternate, exists, the member organization that he or she represents will self-elect another representative. Until a new representative is elected, the alternate will serve in his or her place.

7. Duties

The duty of the RAC will be to provide a means for private citizens to advise the CVRC on development applications that require CVRC approval or action in accordance with the adopted *Procedural Framework for CVRC Project/Application Review* (Attachment 1), and Section 2.55 of the Chula Vista Municipal Code. In order to accomplish these purposes, the RAC will:

- (A) Gather information and serve as a communication link between the CVRC, the Redevelopment Agency and Chula Vista property owners, residents, business owners, and community organizations; keep residents, business owners and community organizations informed of the various elements included or to be included in the redevelopment plans for Chula Vista.

- (B) Provide a forum in which developers and their design teams will obtain clarification on community concerns relating to specific projects and/or project sites during the initial design phase.
- (C) Discuss concerns of residents, business owners and community organizations through dialogue and consensus, formulate advisory opinions; and transmit these as formal resolutions or recommendations to the CVRC and Redevelopment Agency.

It will be the duty of each member to attend all meetings.

It will be the duty of the RAC to periodically seek community-wide understanding of and participation in the planning and implementation process. The RAC will give due consideration to all responsible community attitudes insofar as these are deemed to be in the best long-range interest of the community at large. It will also be the duty of the RAC, when reviewing development projects to encourage participation of affected property owners, residents and business establishments with proximity to the proposed development. The RAC will inform the project applicant or representative each time that such review will take place and provide the applicant with an opportunity to present the project. Any interested member of the public will be given an opportunity to comment on projects during the RAC meetings.

It will be the duty of the RAC to maintain a current up-to-date roster of the RAC members. The roster will be kept on file in the City Clerk Office.

Orientation and informational courses may be offered to the RAC members as necessary and appropriate.

RAC members will comply with the requirements of all applicable Conflict of Interest Rules and Regulations, including, but not limited to the Political Reform Act of 1974 and Government Code Section 1090. RAC members will not be able to cast their vote if their Form 700, Statements of Economic Interests (SEI), has become past due to the City of Chula Vista.

8. RAC Officers

As soon as practical, following the first day of July of every year, the RAC will organize by electing two of its voting members to serve as presiding officers for the ensuing year. Said officers will consist of a Chairperson and Vice Chairperson. Each officer will be an eligible RAC member. All RAC officers will have the right to vote on all items before the RAC unless a conflict of interest exists for that officer.

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The Chairperson will preside at all meetings of the RAC and will submit such agendas, recommendations and information at such meetings that are reasonable and proper for the conduct of the business affairs and policies of the RAC. The Chairperson will sign all approved minutes, and other documents of the RAC.

The Vice Chairperson will perform the duties and assume the responsibilities of the Chairperson in the absence or incapacity of the Chairperson.

Should the offices of either the Chairperson or Vice Chairperson become vacant, the RAC will elect a successor from among the eligible RAC members at the next regular or special meeting, and such office will be held for the unexpired term of said office.

Redevelopment Agency and CVRC employees will assist the RAC officers in the performance of these duties by providing staff services and resources.

9. Quorum

A quorum, defined as a majority of the voting membership appointed at the time of the meeting, will be sufficient to transact business and/or to vote on projects or actions at regular RAC meetings. In the absence of voting members, alternates may attend Committee meetings and may vote; their presence will count toward constituting quorum.

A report of member meeting attendance and minutes will be taken on each matter acted upon for each RAC meeting and kept on file at the City Clerk's Office. All meetings of the RAC must be open to the public and will be governed by the same rules and regulations by which the CVRC is bound in the conduct of public meetings.

10. Meetings

The RAC will meet regularly, on a schedule set annually to provide for a minimum of one meeting per month commencing at 6:00 p.m. on the first Thursday of the month, or at such other day and time that it designates by written resolution, a copy of which must be forwarded to the CVRC, at the Chula Vista City Hall Complex.

In reviewing development projects, the RAC is encouraged, when appropriate and feasible, to hold its regular or special meetings in the affected neighborhoods or community affected by the subject property.

The meetings of the RAC, and notice thereof, will be governed by the Ralph M. Brown Act (California Government Code Sections 54950 et seq.).

A majority of the votes cast, but not less than a majority of the quorum, will be required for the passage of any resolution of the committee. Approved resolutions of the RAC must be in writing and will be designated by number, reference to which will be inserted in the

minutes of the meetings at which they are approved. Approved resolutions must be filed in the official book of resolutions of the RAC, as applicable. All RAC reports and recommendations must be made in writing.

Minutes of the RAC must be in writing. Copies of the minutes of each RAC meeting must be made available to each member of the RAC and the CVRC and Redevelopment Agency. Approved minutes must be filed in the official book of minutes of the RAC.

All officers and department heads will cooperate with, and render reasonable assistance to, the RAC. The City Manager shall make available staff and clerical support to the RAC to fulfill its functions and duties, provided such staff and clerical support is available.

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